

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 8:05CR418
)
vs.) ORDER
)
MAXINE JACKSON,)
)
Defendant.)

This case is before the court following the court's receipt of Defendant Maxine Jackson's September 12, 2005, forensic evaluation (Exhibit 1). Jackson appeared with her attorney Jon Natvig. Assistant U.S. Attorney Maria Moran represented the government. Hearing was held and evidence adduced.

On March 28, 2006, the court ordered (#18) that Jackson be evaluated to determine whether or not she is presently competent to stand trial and, if not, whether she will attain that capacity within the foreseeable future. After receipt and review of the evaluation from the United States Department of Justice, Federal Bureau of Prisons, Carswell Federal Medical Center, Ft. Worth, Texas, I find Jackson is currently not competent to proceed as she is unable to properly assist in her defense due to symptoms of mental illness or defect. Additionally, I find Jackson is unlikely to become competent in the foreseeable future. I therefore find the defendant is subject to 18 U.S.C. § 4246.

IT IS ORDERED:

1. The defendant, Maxine Jackson, shall be released from custody under an Order Setting Conditions of Release that I will file separately;
2. This case will be set for a status conference on **December 5, 2006 at 3:00 p.m.**

DATED this 5th day of October, 2006.

BY THE COURT:

S/ F. A. Gossett
United States Magistrate Judge